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2 THOMAS P. BEKO, ESQ. (#002653)
3 BRENT L. RYMAN, ESQ. (#008648)
4 PAUL M. BERTONE, ESQ. (#004533)
5 ERICKSON, THORPE & SWAINSTON, LTD.
6 P.O. Box 3559
7 Reno, Nevada 89505
8 (775) 786-3930
9 *Attorneys for Defendants*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA
12
13

14 BEN F. CLARK, an individual

15 Plaintiff,

16 v.

17 GARY CAMPBELL, an individual,
18 ALEX RANGEL, an individual, LANDER
19 COUNTY, a political subdivision of the
20 State of Nevada, and HUMBOLDT
21 COUNTY, a political subdivision of the
22 State of Nevada

23 Defendants.
24 _____/

Case No.: 3:14-CV-00333-LRH-WGC

**REQUEST FOR EXCEPTION TO
EXCUSE COUNTY COMMISSIONERS
FROM PERSONAL ATTENDANCE AT
SETTLEMENT CONFERENCE**

25 COMES NOW, Defendants GARY CAMPBELL, ALEX RANGEL, LANDER
26 COUNTY and HUMBOLDT COUNTY, by and through their counsel of record,
27 ERICKSON, THORPE & SWAINSTON, LTD., and BRENT L. RYMAN, and hereby
28 request that members of the Board of Commissioners for Humboldt and Lander Counties be
excused from the requirement of personal appearance for the Settlement Conference
scheduled for April 30, 2015, at 9:00 a.m., in Reno, Nevada.

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1 Defendants and the undersigned represent this request is made in good faith and not
2 for the purposes of obfuscation or delay. Defendants will be personally represented by the
3 undersigned, the individual Defendants and the District Attorneys of both Humboldt and
4 Lander Counties, along with an authorized representative of the Nevada Public Agency
5 Insurance Pool, who are responsible for defense and indemnification in this litigation. These
6 individuals will enjoy full authority and discretion to consider and recommend resolution of
7 this case up to and including the full amount of Plaintiff's then-most recent settlement
8 demand to these Defendants. The undersigned has kept all Defendants closely informed
9 regarding these matters and, although approval of any proposed settlement in which County
10 funds would be expended will always be required from the County Board of Commissioners
11 at a subsequent, properly-noticed public meeting in accord with Nevada's Open Meeting Law
12 as set forth in NRS Chapter 241, these individuals will be fully authorized to consider, and
13 accept or reject for recommendation to the Board, any and all settlement demands and
14 negotiations during the upcoming Mandatory Settlement Conference.

15 RESPECTFULLY SUBMITTED this 5th day of April, 2015.

16 ERICKSON, THORPE & SWAINSTON, LTD.

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18 Brent L. Ryman
19 BRENT L. RYMAN, ESQ. (#008648)
20 ERICKSON, THORPE & SWAINSTON, LTD.
21 99 West Arroyo Street
22 P.O. Box 3559
23 Reno, Nevada 89505
24 Telephone: (775) 786-3930
25 *Attorneys for Defendants*

26 **IT IS SO ORDERED**

27 **U.S. MAGISTRATE JUDGE**

28 **DATED:** April 7, 2015